



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

ANTHONY L. DI PIPPO, :

Petitioner, :

- against - :

JOSEPH T. SMITH, :

Respondent. :

- - - - -x

ORDER

04 Civ. 6931 (DC)

CHIN, District Judge

This habeas case is currently on the Court's suspense docket pending the exhaustion of state remedies. IT IS HEREBY ORDERED that this action is discontinued without prejudice to reinstatement within sixty days after the exhaustion of state remedies; upon written request of either side within sixty days thereof, the action will be restored to the calendar of the undersigned.

SO ORDERED.

Dated: New York, New York
May 9, 2008


DENNY CHIN
United States District Judge